

Senate Bill 510

By: Senators Tate of the 38th, Reed of the 35th, Butler of the 55th, Davenport of the 44th,
Seay of the 34th and others

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 14 of Title 40 of the Official Code of Georgia Annotated, relating to speed detection devices, so as to allow their use in school zones only; to provide for definitions and operating requirements relative to such photographic speed-monitoring systems; to provide for enforcement; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 14 of Title 40 of the Official Code of Georgia Annotated, relating to speed detection devices, is amended by adding a new article to read as follows:

"ARTICLE 4

40-14-30.

As used in this article, the term:

(1) 'Photographic speed-measuring system' means a speed-measuring system that works in conjunction with a photographic, video, or electronic camera to automatically measure the speed and produce photographs, video, or digital images of vehicles violating the speed limit.

(2) 'Recorded images' means images recorded by a photographic speed-measuring system on:

(A) One or more photographs;

(B) One or more microphotographs;

(C) One or more electronic or digital images; or

(D) Videotape

showing the posted speed limit and the actual speed of the vehicle along with the rear of a motor vehicle apparently operated in disregard or disobedience of such speed limit and,

on at least one image or portion of tape, clearly revealing the number or other identifying designation of the license plate displayed on the motor vehicle.

(3) 'Traffic accident prevention' means any activities, resources, or programs associated with reducing or preventing traffic and pedestrian accidents, including, but not limited to, driver education programs, pedestrian safety measures, traffic calming measures, intersection improvements, sidewalks, and traffic signalization and signage.

(4) 'Traffic enforcement' means any activities, resources, or programs associated with enforcing laws and regulations intended to improve traffic and pedestrian safety, including, but not limited to, law enforcement officers and other personnel, equipment, court proceedings, or vendor contracts associated with the provisioning of photographic speed-measuring systems.

(5) 'Vendor' means a company or manufacturer contracted by a county or municipality to install and maintain a photographic speed-measuring system.

40-14-31.

(a)(1) The law enforcement agency of any county or municipality shall not use a photographic speed-measuring system unless the chief law enforcement officer of such county or municipality desires the use of such system and such use is approved by the governing authority of the county or municipality.

(2) A county or municipality may use a photographic speed-measuring system in school zones and only up to one hour before, during, and up to one hour after normal hours of school operation on days when school is in session.

(b) No county or municipal governing authority shall be authorized to use a photographic speed-measuring system where any arresting officer or official of the court having jurisdiction of traffic cases is paid on a fee system. This Code section shall not apply to any official receiving a recording fee.

(c) The compensation paid by the county or municipality to a vendor for a photographic speed-measuring system shall be based only on the value of such equipment or the services provided. Compensation for services or equipment is not to be based on the number of traffic citations issued or the revenue generated by the system.

(d) A photographic speed-measuring system shall not be used by a law enforcement agency unless the law enforcement agency employs at least one full-time certified peace officer.

(e) A photographic speed-measuring system shall be used only to produce the recorded images and shall not be used to produce any photograph, microphotograph, electronic image, or videotape showing the person operating the motor vehicle.

1 40-14-32.

2 Each county or municipal law enforcement agency using a photographic speed-measuring
3 system shall at its own expense test the system for accuracy at regular intervals and record
4 and maintain the results of each test. Such test results shall be public records subject to
5 inspection as provided by Article 4 of Chapter 18 of Title 50. Each such test shall be made
6 in accordance with the manufacturer's recommended procedure. Any such system not
7 meeting the manufacturer's minimum accuracy requirements shall be removed from
8 service and thereafter shall not be used by the county or municipal law enforcement agency
9 until it has been serviced and calibrated at the expense of the law enforcement agency by
10 a qualified technician.

11 40-14-33.

12 Each county or municipality using a photographic speed-measuring system shall erect signs
13 warning all approaching motorists that a photographic speed-measuring system is being
14 employed on each public road on which a photographic speed-measuring system is being
15 utilized. Such warning signs shall be at least 30 inches by 30 inches in measurement and
16 shall be placed no less than 500 feet from the photographic speed-measuring devices."

17 **SECTION 2.**

18 All laws and parts of laws in conflict with this Act are repealed.